

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:13CR457 CEJ
)	
JASON W. KIRLIN a/k/a "Jay,")	
a/k/a "Rock,")	
JOSEPH G. CAPARRO a/k/a "Joe,")	
AMBER ROSE DAVIDSON,)	
ELIZABETH A. ALFONSO a/k/a "Liz,")	
GREGORY C. LEWIS a/k/a "Greg,")	
STEVEN N. EMERSON,)	
SUSAN KAY SMITH a/k/a "Suzie,")	
a/k/a Susan Curtis,)	
LYRA MARIA BEKE)	
a/k/a Lyra Erika Beke,)	
PAMELA K. FOX a/k/a "Pam," and)	
JOHN RANDALL OSSOWSKI)	
a/k/a "Randy,")	
)	
Defendants.)	

ORDER CONCERNING PRETRIAL MOTIONS

The above matter has been referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b) for all pretrial matters. Due to the number of defendants, the complex issues involved, and the number of occurrences which the government intends to introduce in this matter, the undersigned will enter this preliminary order concerning pretrial motions.

IT IS HEREBY ORDERED that the defendants shall file no later than **November 28, 2013**, any relevant pretrial motions or, if indicated, a request of the court to extend time to file any pretrial motions stating why the extension of the filing deadline is necessary.

IT IS FURTHER ORDERED that no later than **December 5, 2013**, each party may propound to the opposing party, and may file with the court, any request for pretrial disclosure of evidence or information.

IT IS FURTHER ORDERED that no later than **December 12, 2013**, the government shall file with the court and serve upon counsel for each defendant a memorandum listing in chronological order, any of the following occurrences involving evidence which the government intends to offer in evidence at the trial of this cause, including any evidence to be offered pursuant to Rule 404(b), Federal Rules of Evidence:

1. Any search of and/or seizure of items of tangible evidence from the person or property of any defendant; and
2. Any contact with and/or interview, questioning, or interrogation of any defendant by law enforcement officials.

Each occurrence described by the government in its memorandum shall be separately listed and shall state first, the date of the occurrence; second, a description of the occurrence (e.g., search of residence or vehicle described, interview of any defendant, car stop, airport stop, etc.); and third, a designation, by name, of any defendant who may possibly have standing to raise issues relating to such occurrence. ¹

As to any evidence obtained by means of electronic surveillance, including wiretaps, pen registers, and “cloned” pages, the government shall state the date on which any order authorizing

¹ This designation by the government of possible standing as to a particular defendant and occurrence will not be construed by the court as a concession by the government that the defendant does, as a matter of fact or law, have standing to raise any issues related to a particular occurrence. This designation is intended merely as a convenience to assist the court and defendants in preparing, filing, and scheduling hearings on motions.

such activity was entered; the date on which the activity terminated; the identity of any telephone number and/or location to which any such order was directed; and, finally, a designation, by name, of any defendant who may possibly have standing to raise issues relating to such surveillance.²

IT IS FURTHER ORDERED that a status conference regarding discovery issues, final date for filing pretrial motions, excludable dates for setting hearings on pretrial motions, etc., is set on **December 18, 2013** at **10 a.m.** before the undersigned in Courtroom 15-South. Counsel only need appear for this proceeding.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 14th day of November, 2013.

² See note 1, supra.